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COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

Ambassador Joseph CASSAR, Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, reflects on the work of the Committee in view of the peace process between the Palestinians and Israelis. The Oslo declaration has had a significant impact on the work of the Committee. The Committee, whose mandate includes dissemination of information on the rights of the Palestinians, works with non-governmental organizations (NGOs), including Israeli NGOs, to reach out to both the Israeli and American publics. Through the NGOs, the committee also urges both the Israeli and Palestinian authorities to respect the human rights of the Palestinian people. Ambassador Cassar believes that the peace process has changed the language and tune of the United Nations resolutions on the question of Palestine.

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ANNOUNCER: From United Nations Headquarters in New York, this is **World Chronicle**, an unedited interview programme about major global issues. Here now to introduce our guest is the host of today's **World Chronicle**.

LITTLEJOHNS: I'm Michael Littlejohns, and this is **World Chronicle**.

Despite the current peace process between the Palestinian Authority and Israel, a just and lasting settlement to the Palestinian-Israeli conflict has not been achieved, and the question of Palestine remains on the agenda of the world organization. To affirm the rights of the Palestinian people, the United Nations, in 1974, established the Committee on the Exercise of the Inalienable Rights of the Palestinian People. What is the mandate of this Committee, and what can it contribute to advance the cause of peace between the Palestinians and Israelis?

Our guest today, Ambassador Joseph Cassar, is the Rapporteur of the Committee. Ambassador Cassar is also the Permanent Representative of Malta to the United Nations. Joining me to talk with Ambassador Cassar are Ian Williams of the *Tribune* of London and Raghida Dergham of *Al Hayat* of London.

Ambassador Cassar, welcome to World Chronicle.

CASSAR: Thank you.

LITTLEJOHNS: Ambassador, it seems that lately the United Nations has been a bit sidelined as far as the Middle East situation is concerned, and the major player is — even more than before — the United States. How is this affecting the Committee, of which you are the Rapporteur? And perhaps you will explain what — since we asked the question in the introduction — what is the mandate of your Committee? But first of all, how is it affecting the work of the Committee?

CASSAR: Well, I'll try to answer in a sort of a sequence. I think, in any situation of tension, of war, of peace, you have a dynamic which fluctuates. And this dynamic has obviously fluctuated tremendously over the past 22 years, since the Committee was set up. I think the Committee and the situation in the Middle East have been affected by the changes which have occurred in other areas in the international arena. We've seen the collapse of the totalitarian system; we've seen the establishment of democracy; we've seen the tension which prevailed in many regions, from South America to Africa, being substituted by a peace process. And I think the Middle East has affected it, and it would have been, I think, a bit irresponsible of the UN had the mandate of the Committee not evolved in this respect, but evolved in terms of the method to be used to achieve the end. And the end is in the title of the Committee, in the name of the Committee, which is a bit of a tongue-twister sometimes, you know, the inalienable rights, but a very important concept. Because these are the rights which are inalienable, that is, not even the persons concerned can renounce them. And the

problem is that at the moment you have a people who are not only not doing an act of renunciation to that right, but are being denied that right. And this I think is the fundamental aim.

Now, the method of how to achieve this has evolved, has grown in tune with the signs of the times. I think if possibly in 1974 we would have asked any citizen in the street how do you think one can come to a point of having the super-Powers cooperating together, I think nobody would have imagined the circumstances which came about in 1989 which brought about that change. I think we would have to look at South Africa in the beginning of apartheid and say, what was the situation then? And I think in this respect Oslo was a breakthrough.

LITTLEJOHNS: Oslo started the events that led up to the Palestinian Authority.

CASSAR: Yes. And I think in this respect, the intervention of Norway, the intervention of people to bring together people on a personal level and to build up a peace, has been of a tremendous impact on the peace process itself, on the establishment of a firm basis of negotiation, and on having a package which was sufficiently good to acquire the guarantees of those who are the most influential and so can guarantee a peace. Because a peace needs the parties, but also needs the guarantees of other international players.

DERGHAM: But what has your Committee done in terms of bringing all this together? I don't know of any contribution of the Committee to the events that you are explaining.

CASSAR: Well, I think the Committee has done a lot over the years. I remember once, as a journalist like yourself, when I was in journalism, carrying an article about Mr. Nelson Mandela — it was one of the anniversaries that he was in prison. And somebody told me, said, what are you doing? You know, I mean, in this little Malta, Nelson Mandela, in a prison somewhere. What do you change? But you are in the world of information, and you know that one of the basic elements which is important to move a process, to advance a process, is the diffusion of information. And in this respect the Committee has done a lot, not only in networking the NGOs who are operating internationally —

LITTLEJOHNS: Networking the non-governmental organizations.

CASSAR: — the non-governmental organizations, to promote and create an awareness of the rights of the Palestinians and a message which could be used to promote that, but also in the very recent years, and before the Oslo process, bringing together Israelis and Palestinians, participating in fora where we had — in 1987, in Copenhagen, I believe it was — a breakthrough. I mean, that you had for the first time Israelis participating — obviously not spokesmen of Government at that time, but as time went on, it grew from the

participation of NGOs to members of the Knesset to members of a Government coalition. And this I think is a lot. Because you need to build trust in people. And I think the major parties' documents, agreements, can set the framework. But then for any peace to work, you need the will of the people involved, and you need the awareness of the international community, which helps.

LITTLEJOHNS: But the election of Benjamin Netanyahu as the Prime Minister of Israel is widely perceived as having been a setback for the peace process. What's your feeling about that?

CASSAR: Well, I think in this respect the Committee has taken an attitude, which I think is the very correct attitude; namely, that Israel is a democracy, and in a democracy people choose a Government, choose a Government with a policy, choose a Government with a programme. And in this respect one has to bow to the will of the majority of the people of Israel. I think what is important is, more than the election *per se* of a particular Government, the policies which Governments tend to adopt from time to time.

LITTLEJOHNS: But he's been pursuing a pretty tough line, isn't he?

WILLIAMS: Well, in all fairness, what he's been doing is pursuing exactly — Perez never moved out of Hebron when he said he was going to; Netanyahu hasn't moved out. It's just that Netanyahu hasn't been as subtle and clever about not moving out as his predecessor was. And you come down to the — I mean, we're assuming — let me play devil's advocate about the Oslo Agreement. We talked about the inalienable rights of the Palestinian people, and the UN has listed those over the years. They include the right to return; compensation for property that's been confiscated; independence in a nation-State; self-determination. So what the Oslo Agreement in fact said was that if you pretty much forget about all of the Palestinians in — half a million Palestinians in Lebanon with next to no rights, the ones in Syria, the ones in Jordan, then possibly we'll give some limited degree of autonomy to some of the Palestinians inside the occupied territories in return for some possible future concessions after the negotiation. And that's precisely why the United States and Israel don't want the United Nations involved, because the United Nations has made those declarations over the years and the Oslo Agreement involves alienating those inalienable rights from all of those other people. So as a devil's advocacy, how could you respond to that from your point of view?

CASSAR: I think the point is certain declarations which the United Nations made in the GA in a number of resolutions were made at a time when the only prospect was that of an international conference; the only prospect was that of building from nothing and having something. Now, I think this is where the General Assembly has shown a very, very keen awareness of what is happening at the time. I do not think that the Oslo Agreement forgot

about anybody. I think what was important about the Oslo Agreement is that they gave a practical and tangible approach to the issues. Let's try to solve those issues which are more probable to solve in a fairly short time, and let's establish a two-year period after which we will start discussing the other issues which are more complex and which will possibly take a longer time — because of their complexity, because of their sensitivity.

But the greatest merit is in having this sort of discernment made, and not letting the complexity of some issues inhibit progress in some others. Now, I think I've been — I've was in the occupied territories in 1990, when I accompanied my foreign minister who was then presiding in the General Assembly, Professor DeMarco. And it was a time when all of the occupied territories were occupied; there was a lot of tension. I visited the occupied territories, and part of those former occupied territories which are now under the control of the Palestinian Authority, at the time of the general elections, and I think if one doesn't register the fact that, say, all right, there isn't the hundred which one would desire, but at least we are progressing towards that hundred. Now, I think this is the sense of determination which one has to get into a process, that, you know, I mean, it's whether — on what —

WILLIAMS: I agree, you spoke about the methods and the ends, but one of the points here is that often the committees seem to be forgetting the ends, and the Bantustans — which is what they would be called if they'd been set up by the South African Government — inside the occupied territories are being sort of accepted as the end in themselves, and it seems that the role of the United Nations should be to remind the world exactly what the inalienable rights are that are disappearing rapidly.

CASSAR: No, I think in all fairness the Committee has always made it a point, every time the Committee has noticed a distortion in a sense that — of a veering away from the course which the peace process has set, the Committee has spoken. We have had the Chairman of the Committee appearing in front of the Security Council, alerting other States. So there is — and this is an important role, to raise the alarm on something possibly going wrong. But I think between that and saying, so what have you done, you have forgotten — I don't think anybody has forgotten. Even because it's so difficult to forget. I mean, it is something which disturbs the conscience of not only the people on the Committee I think but humanity in general, when you see the denial of rights.

LITTLEJOHNS: This is **World Chronicle**. Our guest is Ambassador Joseph Cassar, Rapporteur of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People.

DERGHAM: I'd like to go back with you, Ambassador, to the works of the Committee and their responsibilities as executed now in the light of Oslo and realities on the

ground. Now, you have spoken of information, disseminating information. The United States and Israel do not recognize your Committee. I don't know how much access you have been able to have to the American media or how much dissemination of information you've done where it matters, in the United States and Israel. How do you assess the impact of your doing? Can you be effective under these circumstances?

CASSAR: I don't think that it is the ideal situation we find ourselves in. And I would wish for a more cooperative approach towards the Committee. Sometimes it's one of philosophy, and the United States and Israel say that this Committee has outlived its time because the times are not.... But in reality, I mean, there was never an acknowledgement or a recognition even when supposedly there was a time for it. So, you know. How do we get across to the American public? I think one of the biggest meetings that the Committee organizes is the meeting of the North American NGOs. And we have a huge number of NGOs present in various areas, ranging from the academic to the social to the religious. I mean, we have to be participating in our North American NGO meeting, and as part of this NGO network, who then have their own newsletters, their own lobbying groups, and their own presence with representatives of the United States at various levels of —

LITTLEJOHNS: But aren't you preaching to the converted, as they say? I mean — these are generally pro-Palestinian rights anyway, aren't they?

CASSAR: No, not — I think some of — in fact, one of the big changes which Oslo has brought about was that most of the NGOs which we had before Oslo were the NGOs which were politically committed to the cause; what has happened after Oslo is that the Committee has brought, as well, the support of a number of non-governmental organizations which are humanitarian, educational, and who are operating — and this is very important — upon the field.

DERGHAM: Let me zero in on what you possibly are doing, I don't know if you are. But inalienable rights would — I assume would also mean the rights, the human rights of the Palestinian people under occupation, the right of a Palestinian worker to go to work and not to be forbidden to cross and go to work. Now, these are realities on the ground. It's been established that the human rights of the Palestinians have been violated by the Israeli Government, and we all know that because of the closure of the occupied territories thousands of people are unable to even make a living. What can you do about it? Are you thinking in these terms? Do you have a vision, do you have a strategy to bring home these very important concerns?

CASSAR: Yes, well, in fact the closures and the effect of these closures, this denial for Palestinian people not only to enter into territory which forms part of Israel today, because of work and things like that, but the biggest concern is what has become because of

closure which divides different parts of — the transit between one part of the occupied territory and the other, or one part even of territory which is under the control of the Palestinian Authority to another part which is. And this is of great concern. This is causing enormous hardship. And the Committee has always taken a very strong position, a strong position not only dictated by the moral rectitude of certain things, but also because of their pragmatic impact. And I think we have tried to be sort of looking up towards an ideal but with our feet on the ground. And the reality — and this has been said not only by the Committee, but acknowledged even by a number of Israeli personalities — the reality of promoting development, the moment you have lack of development, the moment you have economic hardship, it's going to have a reaction which triggers off even then subsequently on political issues, and it disturbs, it creates waves, it damages that possibility of dialogue which you had. And this is why it is. So there is the aspect which is strictly related to the rights *per se*, that it is morally wrong, it's intolerable for the world community to accept certain limitations, but also, looking at things pragmatically, this is having a negative effect.

WILLIAMS: But there's a follow-up from that. We're talking about the individual human rights as well as of the people of Palestine as a whole. And there's been lots of concern expressed recently because some Palestinians who fought hard against injustices of the Israeli occupation are now complaining about harassment by the new Palestinian Government. Does the Committee ever concern itself about the state of human rights within the, quote, "liberated", unquote territories? Because, for example, the Committee to Protect Journalists recently gave an award to Dawoud Kuttab, who had spent many years struggling against Israeli censorship and is now struggling with equal fervour against his own people's censorship.

CASSAR: Well, the Committee itself obviously has to relate itself to the mandate, which was given by the UN General Assembly. And this is the inalienable rights of the Palestinian people as they are denied as a consequence of the occupation and the denial which comes through seizure of property — denial of rights and of self determination and such things. I cannot say, though, that the Committee has not — in the fora which it has organized the subject has not come about. I think the subject has been brought up by a number of NGOs, and we have had an ongoing discussion amongst the same NGOs about — now I'm not going to enter into an evaluation of the correctness of that — but the Committee has never inhibited NGOs from discussing the issue. It is not part of the mandate of the Committee as such, not part of the mandate of the Committee, not in as much as saying the Committee will look the other way if it sees something wrong. But that in itself is part of the working of a society as much as there are other mechanisms within the United Nations to deal with that. The respect or otherwise of human rights within an

administration, internally, is something which is of a specific concern of other mechanisms which the United Nations has.

DERGHAM: Ambassador, forgive me for being quite blunt about it, but if you take a look at the vote in the General Assembly on the Committee and its functions, half of the membership says in effect that the Committee has become obsolete. Have you considered the possibility of targeting your efforts in your efforts to bring out the inalienable rights of the Palestinians, for example, by going to the part of the Israeli public that sees that it has been in its own interests to protect the rights of the Palestinian people because peace is in the interests of Israel? Have you considered channelling your efforts into that direction, or with the Jewish community in the United States that does believe the peace process is threatened so long as their rights are violated?

CASSAR: I think — I'll first clarify something. I don't think that the situation is such today that half — if you look at the votes taken a couple of weeks ago, you'll see that —

DERGHAM: There were over 70 abstentions by countries who refused to participate in endorsing the Committee.

CASSAR: Not on all the votes. The Committee has four resolutions. There are a number of resolutions related to different programmes. I think we are approaching a time when there is an emerging consensus in respect of the Committee of the resolutions; the tone of the resolutions has changed. A lot has changed, not just to accommodate, to have support, but has changed taking into account the contribution of various actors, the change in the situation. Targeting by the Committee and specifically targeting an Israeli public, or the Jewish community within the United States, I think that we have today a number of NGOs who are Israeli NGOs who cooperate with the Committee, who work together with the Committee, who are active. And this is the way, and the correct way, which the Committee should operate, namely of having the non-governmental organizations themselves operate, because it is they who have the right to operate in the community. I think we cannot go and proselytize to the Israeli public.

LITTLEJOHNS: Ambassador Cassar, as an Egyptian Government minister, Secretary-General Boutros Boutros-Ghali played a role in the Middle East peace process. Now we have a new Secretary-General in the person of Kofi Annan of Ghana who's somewhat removed from the Middle East, to say the least. Do you think this is going to have any effect, or do you think that Kofi Annan will be able to assume a role on behalf of the UN which is going to be helpful in the Middle East situation?

CASSAR: Well, I believe that Mr. Kofi Annan has a major quality, and that is his connection with the peace-keeping process.

LITTLEJOHNS: As head of UN Peace-keeping Operations.

CASSAR: Yes. And I think he has a very good understanding of the difficult dynamic — part of the difficulties which there were even in places like Bosnia is to overcome a culture of mistrust, a culture of mutual fear, of reciprocal fear. And I think this is part of the complexity which is the Middle East. And I think Mr. Kofi Annan in the past has shown himself as extremely capable in being himself instrumental in building bridges between people, in taking into account the different concerns which both sides have. And I think —

WILLIAMS: Speaking of mutual distrust, isn't it true that the establishment of this Committee, along with the "Zionism as racism" resolution, was one of the causes of the United States cutting back on its payments and beginning to run up arrears? Have they under the peace process agreed to pay their contribution towards the work of the Committee, or are they still keeping it out of the budget?

CASSAR: Well, I think, you know, the sort of line item approach, I think, which the United States adopts is something which — I don't know its very remote origins — I think like others that it's been a bit long enough around to find a way of resolving itself. And it is the hope at a national level that this problem is resolved. But I think that one cannot because of one particular State —

LITTLEJOHNS: Ambassador Cassar, I'm afraid I'm going to have to interrupt you. I'm sorry, but that's all the time we have. I'm sure you were going to say something very profound. But thank you for being with us on this edition of **World Chronicle**.

Our guest has been Ambassador Joseph Cassar, Rapporteur of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People. He was interviewed by Ian Williams of the *Tribune* of London and Raghida Dergham of *Al Hayat* of London. I'm Michael Littlejohns. Thank you for joining us. We invite you to be with us for the next edition of **World Chronicle**.

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